

**Brunswick Board of Appeals  
Minutes  
February 26, 2004**

**Commission Members Present:** Chair Wayne Hawes, Secretary Barbara Baker, Vice Chair Dawn Page, and Patty O'Brien, Alternate

**Mayor & Council Present:**

**Staff Present:** City P & Z Administrator Rick Stup

Chairman Hawes called the meeting to order at 7:00 PM

**Minutes:**

The minutes for the January 22, 2004 meeting were reviewed and approved. (Motion by Ms. Page and seconded by Ms. Baker, passed Yea 3 Nay 0 )

**Chairman:**

None.

**Old Business:**

**Zoning – Variance/Special Exception Resolutions**

**Resolutions for the Variance from the Front and Side Yard Setback and Special Exception for uses to build a Multi-Use Building:** Located at 101 & 105 East Potomac Street, on corner of East Potomac Street and First Avenue (Tax Map 201, Parcel 954). Zoned B-3, BR-BOA-03-02 V & SE

**Staff Presentation**

Mr. Stup presented the two resolutions.

Mr. Stup answered questions of the Board.

**Applicant**

Ellis Burruss, Applicant, agreed with the two Resolutions except that there wasn't any mention of the side yard Variance in Resolution BR-R 04-01.

Mr. Stup agreed that it was a typo and would add the 20' side yard variance to the original document.

**Testimony In Support**

None.

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**Testimony In Opposition**  
None.

**Additional Relevant Testimony**  
None.

**Rebuttal**  
None.

**Decision**  
Ms. Page made a motion to approve Resolution BR-R-04-01 as amended to add the 20' side yard variance; Ms. Baker seconded the motion.

**VOTE: Yea 3 Nay 0**

**Decision**  
Ms. Page made a motion to approve Resolution BR-R-04-02; Ms. Baker seconded the motion.

**VOTE: Yea 3 Nay 0**

**New Business:** None.

**Board Matters:** None.

**Administrative Appeal**

**City Attorney response to an Administrative Appeal of the Mayor & Council denial to open a portion of G Street. BR-BOA-04-01**

**Staff Presentation**  
Mr. Stup entered the City Attorney's Letter into the record, stating that after consultation with Staff and research the City Attorney found that there was no basis for the Board to hear the case since the Council Decision was a Legislative Act and not an interpretation of an ordinance, regulation, policy, procedure or action permitted through the various Development Regulations. The City Attorney Staff had notified the applicant.

Staff also had received a request for reimbursement of the fee for the Administrative Error Application, which was rejected because the case had not been withdrawn prior to expending Staff and Consultant time on the case.  
Mr. Stup answered Board questions.

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**Public Comment:**  
None.

**Adjournment:**  
The meeting was adjourned at: 7:30 PM.

Respectfully submitted,

Barbara Jean Baker, Secretary  
Brunswick Board of Appeals